

Summary Minutes of the
Delta Protection Commission Meeting
Thursday, March 22, 2007

ADMINISTRATIVE AGENDA

1. Call to Order/Flag Salute

Chairman McGowan called the meeting to order at 6:40 p.m.

2. Roll Call

Present: Chairman McGowan, Vice-Chair Ferguson, Commissioners Armor, Cabaldon, Johnson, Kelly, Nottoli, Reagan, Ruhstaller, Sanders, Simonsen, Shaffer, Tilghman, van Loben Sels, and Wilson.

Absent: Commissioners Calone, Johnston, Piepho, and Scriven.

Chairman McGowan welcomed Noah Tilghman. Commissioner Tilghman replaced Commissioner Perez from the Department of Parks and Recreation.

3. Presentation of Resolutions of Appreciation to Dwight Sanders and Anthony Perez.

Chairman McGowan presented Resolutions of Appreciation to Commissioner Sanders, who is retiring from State service and Commissioner Perez, who resigned his position with the Commission.

4. Public Comment - Opportunity for Members of the Public to Address the Commission. Comments Also Welcome as Agenda Items are discussed.

Peggy Bohl, Clarksburg thanked the Commission for its votes cast at the November and January, 2006 meetings, and the February, 2007 meeting regarding the Clarksburg Old Sugar Mill Project. She said that because of the Commission's vote, other developers have backed out of trying to build in the area. She praised the Commission for stopping urbanization in the Delta.

CONSENT AGENDA (Items 5-12)

Commissioner Sanders moved approval of the Consent Agenda; Commissioner Simonsen seconded. The Consent Agenda was approved unanimously.

REGULAR AGENDA (Item 13- 19)

13. Receive Presentation from Delta Counties Emergency Preparedness and Response Team.

Ron Baldwin, San Joaquin County Office of Emergency Services and Chair of the Delta Counties Emergency Preparedness and Response Team reported that it was widely recognized that if Delta floods hit simultaneously, the five Delta counties would have to work together. Mr. Baldwin said there must be a regional response that would involve the Corps. and DWR, and that there is the need to identify who has what role. He said that the five Delta counties have put together an agreement that provides an avenue for Delta-wide communication. Mr. Baldwin also noted the team would hold a workshop on April 11, 2007 to discuss a white paper and direction.

Commissioner Reagan asked if San Joaquin County was working on pre-identifying any contracts before a disaster strikes. Mr. Baldwin responded that there was no pre-identification as the agency was focusing on flood fighting.

Commissioner Armor asked if San Joaquin County had established an instant command system; Mr. Baldwin responded yes, however, the RD's had not.

Commissioner Ferguson asked if there would be a checklist to work with the RD's. Mr. Baldwin responded that the first order of business would be to get all parties together and to get State support to straighten out the system.

Commissioner Shaffer asked if there was the capacity to respond to multiple events given the contracts were in place. Mr. Baldwin responded that in the event of multiple events the county would have to be tied into the RD's; however the State could respond whenever.

14. Approve Letter from the Chair to the Sacramento County Director of Finance Requesting Transfer of Funds (\$56,000) to the Commission from the Disbanded Delta Advisory Planning Council.

Ms. Fiack reported that the Commission was seeking the transfer of \$56,000 that remained in the Delta Advisory Planning Council (DAPC) account. She said that the money was being held by the County of Sacramento, and since DAPC was made up of the same five Delta counties that are currently on the Commission and had the same mission and goals, the money could be transferred to the Commission. She thanked Roberta Goulart who was instrumental in identifying the money and asked that the Commission approve a letter to the Director of Finance of the County of Sacramento to initiate the transfer.

Commissioner Cabaldon moved approval of the letter to the County of Sacramento for the transfer of the DAPC funds; Commissioner Kelly seconded. The motion was approved unanimously.

15. Review and Discuss Draft Delta Checklist Prepared by Commission Staff in Consultation with Planning Staff of the Five Delta Counties

Linda Fiack reported that she met with the planning staff of the five Delta counties to draft the Delta Checklist. She said the checklist would be used as a tool to help applicants and planning staff become aware of the Commission and its role in the Primary and Secondary Zones when reviewing Delta project proposals.

Commissioner Simonsen stated that he would like to see more questions on the checklist regarding the impacts of the Secondary Zone to the Primary Zone, particularly in Contra Costa County.

Commissioner Cabaldon said that the Commission must move in the direction of defining two kinds of Secondary Zones. He further said that the Commission should not treat areas immediately adjacent to Primary Zone that have impacts on agriculture, recreation and habitat the same as areas that are in the heart of incorporated cities.

Commissioner Johnson asked that the phrase "and/or trailable boaters" be added to item 6F.

Commissioner Sanders asked how the Commission would know if someone was filling out the checklist. Ms. Fiack responded that the applicant would complete the form and the local entities would attach the form when the project is forwarded to the Commission.

Commissioner Kelly commented that she thought the checklist was fairly significant because it could lead to three zones instead of two. She said the Commission should do more work on the checklist before voting to approve it. Ms. Fiack said the checklist would be used when it was obvious that a project in the Secondary Zone could impact the Primary Zone; therefore, the discretion to use the checklist would be up to planning staff. She also said that she was not asking for the planning staff to adopt the checklist, but merely use it as a tool.

Commissioner Reagan asked where would encouragement of tourism and economic development be listed on the checklist. Ms. Fiack responded that the checklist is only for consistency with the Plan and Act.

16. Receive Information on Delta Vision from Delta Vision Stakeholder Committee Members.

Commissioner van Loben Sels reported that he attended the Stakeholder Committee meeting. He said that he felt it would be impossible to come up with a consensus because there are 41 members on the committee. He also said that the committee should have visions ready by August 2007. He distributed some handouts from the meeting and encouraged the Commissioners to e-mail staff with any questions they would like to see answered.

Commissioner Cabaldon reported that many of the stakeholders are members of BDPAC. He said that the challenge to the stakeholders is to help others understand the full range of the Delta.

Commissioner Ferguson stated that he agreed with Commissioner Cabaldon. He further stated that the challenge would be for those who live and work in the Delta to explain to others in the group how the Delta functions.

Commissioner Shaffer commented that Ken Trott from the California Department of Food and Agriculture is part of the core team and is tasked with working on a framework on Delta agriculture.

Ms. Fiack reported that the Water Education Foundation held the second of six vision workshops. She said that at previous workshops there was a lack of recreational, boater and agricultural representation; however, at the past two workshops the audience and representation on the panel was much more diverse.

17. Commissioner Comments/Announcements

Commissioner Johnson reported that the Department of Boating and Waterways was paying 58 percent of the Commission's budget and he would like to see a more equitable contribution from the other member entities.

18. Closed Session

Pursuant to Government Code Section 11125(e) the Commission entered into closed session to discuss pending litigation.

19. Adjourn

The meeting was adjourned at 8:40 p.m.